

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

98 JUN -8 AM 9:15
U.S. DISTRICT COURT
N.D. OF ALABAMA

LORENZO RAINER,

Plaintiff,

vs

OFFICER WITHERSPOON,
OFFICER BLUTCHER,
and WARDEN STEVE DEES,

Defendants.

CIVIL ACTION NO. 96-B-3003-S

ENTERED

JUN 08 1998

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation, and the objections of the plaintiff, and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the Magistrate Judge as the findings and conclusions of the court. In accord with the recommendation, defendant Warden Steve Dees' motion for summary judgment is due to be granted and this complaint is due to be dismissed as to him, but summary judgment is due to be denied as to Officer Witherspoon and Officer Blutchter. An appropriate order will be entered.

DONE this 8th day of June, 1998.

Sharon Lovelace Blackburn
SHARON LOVELACE BLACKBURN
UNITED STATES DISTRICT JUDGE

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